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OFFICE OF PETITIONS

In re Application of :
Donald Ray Gillis et al. :
Application No. 10/675,696 :
In re Patent No. 6,822,819 :
Filing Date: September 30, 2003 :
Issue Date: November 23, 2004 : DECISION ON PETITION
Attorney Docket Number: HSJ9- : UNDER 37 C.F.R. §3.81(B)
2003-0117US2 :
Title: METHODS AND APPARATUS FOR :
THERMALLY BONDING LUBRICANT TO A :
DISK SURFACE WITH USE OF A :
HEATING ELEMENT FORMED IN A :
MAGNETIC HEAD :

This is a decision on the petition filed March 14, 2005 under 37 C.F.R. §1.183, which is properly treated as a petition under 37 C.F.R. §3.81(b)¹, to correct the Assignee's information on the Issue Fee Transmittal Form PTOL-85(b).

The Office regrets the period of delay in issuing this decision.

Petitioner requests that a Certificate of Correction be issued correcting the address for an assignee. Petitioner submits a "Certificate of Correction" for this purpose, which indicates that the address of the Assignee which appears on the face of the patent should be changed.

¹ See Official Gazette, June 22, 2004.

37 C.F.R. §3.81(b), effective June 25, 2004, reads:

(b) After payment of the issue fee: Any request for issuance of an application in the name of the assignee submitted after the date of payment of the issue fee, and any request for a patent to be corrected to state the name of the assignee, must state that the assignment was submitted for recordation as set forth in 3.11 before issuance of the patent, and must include a request for a certificate of correction under 1.323 of this chapter (accompanied by the fee set forth in 1.20(a)) and the processing fee set forth in 1.17(i) of this chapter.

Both Petitioner's evidence and Office records show that the assignment for the above-identified application was received in the Office on February 3, 2004, which is prior to the payment of the Issue Fee on October 15, 2004.

Payment of the required \$130 processing fee has been submitted. However, the required \$100 certificate of correction fee has not been received, and it does not appear that Petitioner has provided authorization to charge any deficiency to a Deposit Account.

As such, the present petition must be **DISMISSED**.

Any reply must be submitted within **TWO (2) MONTHS** from the mail date of this decision, and should include the deficient payment. Extensions of time under 37 C.F.R. §1.136(a) are permitted.

The renewed petition should include a cover letter entitled "Renewed Petition Under 37 C.F.R. §3.81(b)". This is not a final agency action within the meaning of 5 U.S.C. 704.

The renewed petition should indicate in a prominent manner that the attorney handling this matter is Paul Shanowski, and may be submitted by mail², hand-delivery³, or facsimile⁴.

2 Mail Stop Petition, Commissioner for Patents, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

3 Customer Window, Randolph Building, 401 Dulaney Street, Alexandria, VA, 22314.

4 (571) 273-8300- please note this is a central facsimile number.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225. All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.



Paul Shanowski
Senior Attorney
Office of Petitions
United States Patent and Trademark Office